

RECEIVED
CENTRAL FAX CENTER

FEB 10 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: STEVEN G. SMITH ET AL)
SERIAL NUMBER: 10/028,271) Group Art Unit: 2683
FILED: December 28, 2001) Examiner:
FOR: MOBILE GATEWAY INTERFACE) Zewdu, Meless

I hereby certify that this correspondence is
being transmitted to the United States Patent
& Trademark Office via facsimile to facsimile
Number (571) 273-8300 on February 10, 2006
Sheila Spedick

Sheila Spedick name
signature date 2/10/06

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO WITHDRAW HOLDING OF ABANDONMENT

In response to the Notice of Abandonment mailed January 25, 2006, Applicants hereby request a withdrawal of the holding of abandonment, as there was, in fact, no abandonment. The Notice states the application was abandoned due to an alleged failure to respond to the Office Action mailed March 16, 2005. Applicants respectfully disagree.

The Assignee's Attorney filed a Notice of Appeal and three month extension of time on September 16, 2005. Attached is a copy of the materials filed on September 16, 2005. A review of the PAIR system indicates that the PTO received these items. The Notice of Appeal provides Applicants 2 months to file a brief, this time period being extendable under 37 CFR § 1.136. Thus, this application should not have been abandoned.

In view of the foregoing, Applicants submit that the application should not have been abandoned. Therefore, Applicants respectfully request that this Request be granted and allow

00355
BLL-0219

1

the application to issue.

If there are any additional charges with respect to this Request or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,


By: 

David A. Fox
Registration No. 38,807
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No. 36192

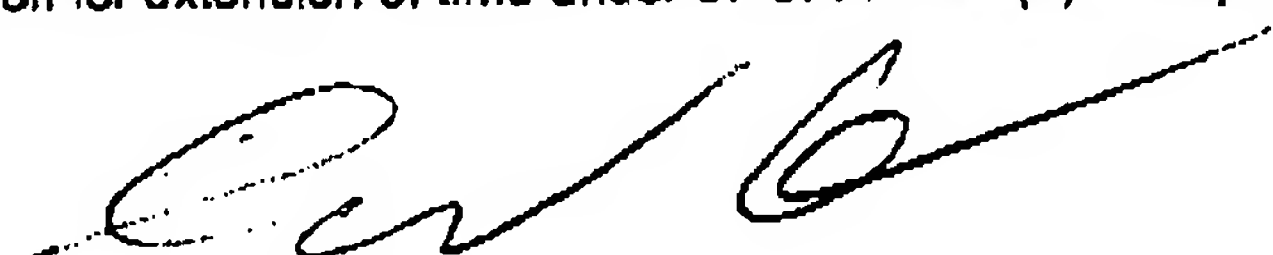
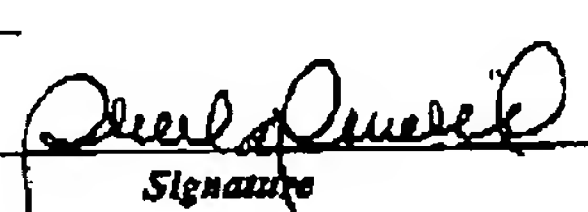
Date: February 10, 2006

00355
BLL-0219

2

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. 00355 (BLL-0219)
Applicant(s): STEVEN G. SMITH ET AL			
Application No. 10/028,271	Filing Date 12/28/2001	Examiner Zewdu	Group Art Unit 2683
Invention: MOBILE GATEWAY INTERFACE			RECEIVED CENTRAL FAX CENTER FEB 10 2006
<p>I hereby certify that this <u>Comb. Notice of Appeal and Petition for Ext. of Time (3 mo.)</u> (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>)</p> <p>on <u>September 16, 2005</u> (Date)</p> <p style="text-align: right;"><u>Sheila Smedick</u> (Typed or Printed Name of Person Signing Certificate)</p> <p style="text-align: right;"><u></u> (Signature)</p>			
Note: Each paper must have its own certificate of mailing.			

P18/REV02

COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)					Docket No. 00355 (BLL-0219)
In Re Application Of: STEVEN G. SMITH ET AL					
Application No. 10/028,271	Filing Date 12/28/2001	Examiner Zewdu	Customer No. 36192	Group Art Unit 2683	Confirmation No. 2770
Invention: MOBILE GATEWAY INTERFACE				RECEIVED CENTRAL FAX CENTER FEB 10 2006	
<u>TO THE COMMISSIONER FOR PATENTS:</u>					
This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:					
 _____ <i>Signature</i>			Dated: <u>September 16, 2005</u>		
David A. Fox Registration No. 38,807 CANTOR COLBURN LLP 55 Griffin Road South Bloomfield, CT 06002 Telephone (860) 286-2929 Facsimile (860) 286-0115 Customer No. 36192					
Certificate of Transmission by Facsimile*			Certificate of Mailing		
I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax no. 571-273-8300) on <u>9/16/2005</u> (Date)  _____ <i>Signature</i> Sheila Smedick _____ Typed or Printed Name of Person Signing Certificate			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a) on _____ (Date) _____ <i>Signature of Person Mailing Correspondence</i> _____ Typed or Printed Name of Person Mailing Correspondence		
*This certificate may only be used if paying by deposit account.					
cc:					

P2BLARGE/REV08

USPTO 9/16/2005 3:30 PM PAGE 1/001 Fax Server
 TO: Auto-reply fax to 8602860115 COMPANY:

Auto-Reply Facsimile Transmission



TO: Fax Sender at 8602860115

Fax Information

Date Received:

Total Pages:

9/16/2005 3:29:32 PM [Eastern Daylight Time]

3 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page


=====>

Sep 16 2005 3:29PM CANTOR COLBURN LLP		8602860115		p. 1	
CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): STEVEN D. SMITH ET AL				Document No. 00000000000000000000	
Application No. 10/000000	Filing Date 11/11/2004	Examiner XXXXX	Group Art Unit XXXX		
Invention: MOBILE BASEWAY INTERFACE					
I hereby certify that this <u>Cert. Notice of Appeal and Petition for Ex. of Time (37 CFR 1.8)</u> is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571-273-8328) on <u>September 16, 2005</u> (Date)					
Signed by me or by my authorized agent: <u>(Signature)</u> (Print or Typed Name of Person Signing Certificate) (Name)					
Note: Each paper must have its own certificate of mailing.					
PAGE 01 * RCVD AT 09/16/2005 3:29:32 PM Eastern Daylight Time * SVR:USPTO-EFAX-6/33 * DNIS:2738300 * CSID:8602860115 * DURATION (mm-ss):01:42					

COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)					Docket No. 00355 (BLL-0219)
In Re Application Of: STEVEN G. SMITH ET AL					
Application No. 10/028,271	Filing Date 12/28/2001	Examiner Zewdu	Customer No. 36192	Group Art Unit 2683	Confirmation No. 2770
Invention: MOBILE GATEWAY INTERFACE					
<u>COMMISSIONER FOR PATENTS:</u>					
This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>March 16, 2005</u> in the above-identified application. <small style="margin-left: 100px;">Date</small>					
Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated <u>March 16, 2005</u> finally rejecting Claim(s) 1-27.					
Applicant(s) hereby request(s) an extension of time of (check desired time period): <input type="checkbox"/> One month <input type="checkbox"/> Two months <input checked="" type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months					
from: <u>June 16, 2005</u> until: <u>September 16, 2005</u> <small style="margin-left: 100px;">Date</small> <small>Date</small>					
The fee for the Notice of Appeal and Extension of Time has been calculated as shown below: <div style="text-align: right; margin-right: 50px;"> Fee for Notice of Appeal: <u>\$500.00</u> Fee for Extension of Time: <u>\$1,020.00</u> TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: <u>\$1,520.00</u> </div>					
The fee for the Notice of Appeal and extension of time is to be paid as follows: <input type="checkbox"/> A check in the amount of _____ for the Notice of Appeal and extension of time is enclosed. <input checked="" type="checkbox"/> Please charge Deposit Account No. <u>06-1130</u> in the amount of <u>\$1,520.00</u> <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <u>06-1130</u> <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. </div> <input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. <u>06-1130</u> . <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					

P29LARGE/REV08

FEB 10 2006

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): STEVEN G. SMITH ET AL			Docket No. 00355 (BLL-0219)
Application No. 10/028,271	Filing Date December 28, 2001	Examiner Zewdu, Meless	Group Art Unit 2683
Invention: MOBILE GATEWAY INTERFACE			
<p>I hereby certify that this <u>Reg. to Withdraw Holding of Abandonment & Attachments</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>) on <u>571-273-8300</u> (Date)</p> <p style="text-align: right;"><u>Sheila Smedick</u> (Typed or Printed Name of Person Signing Certificate)  (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

P18/REV02